

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

JENNIFER CHATTMAN)
)
Plaintiffs) CIVIL ACTION
) FILE NO.
vs.)
)
ALPHA RECEIVABLES, INC.,)
FREDERICK J. HANNA & ASSOCIATES, P.C.,) 1:09-CV-1525-GET-ECS
and HSBC CARD SERVICES (III) INC.)
)
Defendant)

**DEFENDANT FREDERICK J. HANNA & ASSOCIATES, PC'S INITIAL
DISCLOSURES**

(1) If the defendant is improperly identified, state defendant's correct identification and state whether defendant will accept service of an amended summons and complaint reflecting the information furnished in this disclosure response.

Defendant is properly identified.

(2) Provide the names of any parties whom defendant contends are necessary parties to this action, but who have not been named by plaintiff. If defendant contends that there is a question of misjoinder of parties, provide the reasons for defendant's contention.

None.

(3) Provide a detailed factual basis for the defense or defenses and any counterclaims or crossclaims asserted by defendant in the responsive pleading.

Plaintiff's cause of action under the Fair Debt Collections Practices Act arose more than one year from the filing of the complaint, and is barred by the statute of limitations.

Plaintiff failed to provide adequate notice under the Georgia Fair Business Practices Act.

Any violation of the Fair Debt Collections Practices Act were not intentional and resulted from a bona fide error notwithstanding the maintenance of procedures reasonably adapted to avoid such errors.

(4) Describe in detail all statutes, codes, regulations, legal principles, standards and customs or usages, and illustrative case law which defendant contends are applicable to this action.

The federal supplemental jurisdiction statute, 28 U.S.C. § 1337 *et seq.*

The Georgia law of fraud, O.C.G.A. § 51-6-1 *et seq.*

The Georgia Fair Business Practices Act, O.C.G.A. § 10-1-390 *et seq.*

The Fair Business Practices Act, 15 U.S.C. § 1692 *et seq.*

The Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. § 1961 *et seq.*

The Georgia abusive litigation statute as pre-emptive of other state law causes of action, O.C.G.A. § 51-7-85.

(5) Provide the name and, if known, the address and telephone number of each individual likely to have discoverable information that you may use to support your claims or defenses, unless solely for impeachment, identifying the subjects of the information. (Attach witness list to Initial Disclosures as Attachment A.)

See attachment.

(6) Provide the name of any person who may be used at trial to present evidence under Rules 702, 703, or 705 of the Federal Rules of Evidence. For all experts described in Fed.R.Civ.P. 26(a)(2)(B), provide a separate written report satisfying the provisions of that rule. (Attach expert witness list and written reports to Initial Disclosures as Attachment B.)

N/A

(7) Provide a copy of, or description by category and location of, all documents, data compilations, and tangible things in your possession, custody, or control that you may use to support your claims or defenses unless solely for impeachment, identifying the subjects of the information. (Attach document list and descriptions to Initial Disclosures as Attachment C.)

See attachment.

(8) In the space provided below, provide a computation of any category of damages claimed by you. In addition, include a copy of, or describe by category and location of, the documents or other evidentiary material, not privileged or protected from disclosure on which such computation is based, including materials bearing on the nature and extent of injuries suffered, making such documents or evidentiary material available for inspection and copying under Fed.R.Civ.P. 34. (Attach any copies and descriptions to Initial Disclosures as Attachment D.)

N/A

(9) If defendant contends that some other person or legal entity is, in whole or in part, liable to the plaintiff or defendant in this matter, state the full name, address, and telephone number of such person or entity and describe in detail the basis of such liability.

N/A

(10) Attach for inspection and copying as under Fed.R.Civ.P. 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in this action or to indemnify or reimburse for payments to satisfy the judgment. (Attach copy of insurance agreement to Initial Disclosures as Attachment E.)

Defendant is self-insured.

“ATTACHMENT A”

WITNESS LIST

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Attorney of Frederick J. Hanna & Associates, PC.

“ATTACHMENT B”

EXPERT WITNESS LIST

N/A

“ATTACHMENT C”

DOCUMENT LIST

Certified or stipulated record of Alpha Receivables, Inc. et al. v. Jennifer Chattman, State Court of DeKalb County civil action no. 08-A-87534-5.

“ATTACHMENT D”

DAMAGES DOCUMENTS LIST

N.A

“ATTACHMENT E”

INSURANCE AGREEMENTS

None exist.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the within and foregoing Defendant's Responses to Mandatory Disclosures with the Clerk of the Court by using the CM/ECF system which will automatically send email notification of such filing electronically to the following attorneys of record:

Daniel Eliot DeWoskin
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This 9th day of November 2009.

/s/Scot W. Groghan
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